

STAFF ANALYSIS

PROJECT NUMBER

03-239-(5)

CASE NUMBER

Conditional Use Permit Case No. 03-239-(5)

OVERVIEW OF PROPOSED PROJECT

The applicant, Laing Homes, is requesting authorization for the operation and development of a private recreation facility for a planned residential development on a 0.35-acre site in the RPD-5,000-6.2U zone. The recreation facility consists of two pools, a spa and an accessory building for restrooms and equipment storage.

DESCRIPTION OF SUBJECT PROPERTY

Location

The subject property is located at the south side of Edgehurst Lane, between Sidani Land and Heller Circle in the Sand Canyon Zoned District. The applicant's site plan depicts access to the proposed development being provided from the east via Sidani Lane.

Physical Features

The subject property is a 0.35-acre irregular shaped with level terrain. The property is currently vacant. The subject property comprise of three single-family lots of an approved subdivision (Tentative Tract No. 46018). The site has been graded to accommodate the proposed development.

ENTITLEMENT REQUESTED

The applicant is requesting a Conditional Use Permit to authorize the operation and development of a private neighborhood recreation facility within a planned residential development in the RPD-5,000-6.2U zone. The facility will be maintain and operate by the Homeowners Association established for the subdivision. A neighborhood recreation facility, such as the one the applicant is proposing, within a single-family residential zone is subject to a conditional use permit as provided in Part 1 of Chapter 22.56.

EXISTING ZONING

Subject Property

Zoning on the subject property is RPD-5,000-6.2U (Residential Planned Development-5,000 square feet required area-6.2 dwelling units per acre).

Surrounding Properties

Surrounding zoning consists of RPD-5,000-6.2U to the north, south, east and west

EXISTING LAND USES

Subject Property

The subject property is currently vacant.

Surrounding land uses consist of:

Vacant properties and single-family residences under various stages of construction to the north, south, east and west.

PREVIOUS CASES/ZONING HISTORY

There are three previous cases noted on the subject property, Tentative Tract Map No. 46018, Conditional Use Permit and Zone Change No. 85-628.

Tentative Tract Map No. 46018 is an approved subdivision for 1,298 single-family lots and 1,202 attached condominium units on 603 acres. The request was approved by the Board of Supervisors on January 31, 1989. Portion of the subdivision has been recorded. The subject property is a part of the recorded subdivision (Lots 71, 72 and 73 of TR46018-01).

Conditional Use Permit No. 85-628 was approved as part of the subdivision to ensure compliance with the Hillside Management and Residential Planned Development design review criteria.

Zone Change No. 85-628 redesignated the zoning of the subject property from A-2-1 (Heavy Agricultural-1 acre required area) to RPD-5,000-6.2U to accommodate Tentative Tract Map No. 46018. The zone change was adopted on January 11, 1988.

LOCAL GENERAL PLAN

The subject property is located within "U3" Urban 3 land use classification of the Santa Clarita Valley Area Plan (SCVAP). The SCVAP permits a density range of 6.7 to 15 dwelling units per acre. The areas designated as Urban 3 is similar to the Low-Medium Density Residential land use category of the Countywide General Plan which include area particularly suitable for small lot single-family residences, twinhomes, duplexes and townhouse development. The request to develop the subject property with a recreation facility is not in conflict with the SCVAP since non-residential use such as a recreational facility within a residential planned development is encouraged and required. The applicant's proposed development can fulfill the needs for recreational facility generated by the planned residential development currently under construction.

The following goals and policies of the SCVAP encourage the development recreation facility proposed by the applicant:

"Policy No. 12.1: Promote and support efforts by public and private agencies and citizen groups to provide the opportunity for a choice of living, working, **recreation**, and cultural pursuits for all ages, incomes, and ethnic groups. This variety of choice includes...recreational activities (parks, theaters, indoor sports, amusement parks, bike paths, equestrian trails, etc.)..."

"Policy No. 3.1: Ensure that costs of population and urban growth are borne by those who benefit."

“Policy No. 3.2: Require that new development fund the entire cost of all the infrastructure demand created by the applicant.”

SITE PLAN

General Description

The applicant's site plan depicts the 0.35-acre irregular shaped subject property developed as a recreation center consists of a 910-square foot pool, a small circular wading pool, a spa; and a outbuilding approximately 595 square feet in size located at the eastern half of the property. The building contains two restrooms and a pool equipment storage area. The recreation facility is enclosed by a 5-foot tubular fence. The applicant is providing two standard and one handicapped parking spaces. The subject property has been graded to accommodate the proposed development.

Compliance with Applicable Zoning Standards

A neighborhood recreation facility is defined as “outdoor recreation facilities established by an association of persons who are bona fide members and operate as a nonprofit corporation to provide outdoor recreation facilities for residents in the immediate vicinity and their guests. Such facilities may include a clubhouse, changing rooms and similar subordinate facilities in conjunction with the outdoor recreation activity, but shall not include a restaurant, bar or pro shop.” A conditional use permit, if granted, would permit the development of a neighborhood recreation facility in the RPD-5,000-6.2U zone.

Pursuant to Section 22.20.460 of the County Code, property in Zone RPD may be used for any use permitted in Zone R-1 under the same limitations and conditions, including auxiliary and transitional uses, front, side and rear yards, garages and carports, and area requirements, and those provisions of Part 2 of Chapter 22.52 which relate to Zone R-1. The applicant will be required to record a “Covenant and Agreement to Hold Property as One Parcel” to combine the three existing parcels for the purpose of determining lot line location. The required yard will be based on all exterior lot lines. The facility must comply with the following development standards of the R-1 zone:

- Pursuant to Section 22.20.110 of the County Code, front, side and rear yards shall be provided as required in Zone R-1.
The proposed accessory building is set back approximately 30'0" from the front (southern) property line. The side yard setbacks are depicted as 11'0" (eastern) and 110'0" (western). The rear yard setback is depicted as 37'0" (northern). The applicant's site plan is in compliance with the setback standards of the R-1 zone and provisions of Chapter 22.48.
- Pursuant to Section 22.48.150(B) of the County Code, a swimming pool is permitted in a required rear yards provided it is not closer than five feet to any lot line.

The proposed pools and spa are setback more than 5'0" to all exterior lot lines. The applicant's request is in compliance with this requirement as the proposed pools and spa is not closer than five feet to any exterior lot line.

- The parking requirement for a neighborhood recreation facility is not specified in the County Code. Section 22.52.1220 of the Code prescribes the number of parking spaces required for uses not specified. This section states that parking shall be provided in an amount that the director finds adequate to prevent traffic congestion and excessive on-street parking. To ensure adequate parking, staff determined, based upon the nature of the proposed facility and its location, one (1) parking space is required for each 250 square feet of floor area of the 595 recreation building. The building is approximately 595 square feet in size. A total of three parking spaces are needed to meeting this requirement. Per American with Disabilities Act (ADA) requirements, one (1) of these spaces shall be handicapped accessible.

The applicant's site plan depicts three (3) parking spaces (2 standard and 1 handicapped spaces). However, portion of the applicant's proposed parking spaces are located within the right-of-way for Sidani Lane. Pursuant to Section 22.52.1020 of the County Code, space required for parking shall either be owned by the owner of the premises of the use which the parking space is required or have the right to use such space for parking through a recorded lease. The applicant is not in compliance with this requirement. If the Commission approves this request, as a condition of approval of this grant, the applicant will be required to revise the site plan depicting the required spaces within the subject property.

- Front yards shall be not less than 15 feet in depth, interior side yards shall not be less than 5 feet, and rear yards shall not be less than 15 feet in depth.
The proposed outbuilding is set back 30'0" from the front (south) property line. The side yard setbacks are depicted as 11'0" (east) and 18'0" (west). The rear yard setback is depicted as 37'0" (north). The applicant's site plan is in compliance with the setback standards of the R-1 Zone.
- Every building or structure in the R-1 zone shall have a height not to exceed 35 feet above grade.
The proposed building has a height of xx'-0" above finished grade. The applicant's submitted elevations are in compliance with the height limits of the R-1 Zone.
- Sections 22.48.150 and 22.48.160 of the County provides that accessory structures, fences and walls are permitted within the front setback if they do not exceed a height of three and one-half feet.

Pursuant to Section 22.50.460 of the County Zoning Ordinance, the Commission, in considering placement and type of structures, may modify or require a greater depth for yards than would be required as provided in the R-1 zone. The applicant is requesting approval to construct a fence 5.5-foot in height within the front setback. The fence is necessary to provide security for the residents of the development. With the exception of the modification for the fence, this project is in compliance with the required yard standards for the R-1 zone.

BURDEN OF PROOF

Conditional Use Permit Burden of Proof

Pursuant to Los Angeles County Code Section 22.56.040 the applicant must meet the burden of proof requirements for Conditional Use Permits.

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
 - 4. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - 5. By other public or private service facilities as are required.

Applicant's Burden of Proof Responses

Applicant's responses attached (**Attachment A**).

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation for this project under California Environment Quality Act (CEQA) reporting requirements. An Initial Study was prepared for this project in compliance with the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study concluded that there is no substantial evidence that the project may have a significant effect on the environment.

COUNTY DEPARTMENT COMMENTS

Staff has not received any comments from County Agencies at this time.

PUBLIC COMMENTS

The applicant has not received any public comments.

STAFF EVALUATION

The subject is within an approved subdivision and the proposed recreation facility is compatible with adjacent uses. The recreation facility can fulfill the recreation needs of the residents within the planned development. The proposed development meets most development standards specified in Los Angeles County code. The setback requirement for the proposed fence can be modified under the Commission's discretion. Conditions of approval will ensure that the recreation facility is properly maintained. In addition, the facility is subject to codes and regulation of the established homeowners association for the subdivision.

The proposed recreation facility is consistent with the goals and policies of the Santa Clarita Valley Area Plan. The applicant's proposed addition of a recreation facility is a positive attribute to a planned residential development. All the necessary improvements that are needed to serve the recreation facility have provided at part of approved subdivision.

FEES/DEPOSITS

If approved, the following will apply:

NOD Posting:

1. Processing fees of \$25.00 related to posting the Notice of Determination with the County Clerk. The fee will be required prior to the final approval date of the permit.

Zoning Enforcement:

2. Cost recovery deposit of \$750.00 to cover the costs of the five (5) recommended zoning enforcement inspections. Additional funds would be required if violations are found on the property.

STAFF RECOMMENDATION

Approval

Prior to making a decision on this case, Staff recommends the Planning Commission consider the facts, analysis and correspondence contained in this report along with the oral testimony and/or written comments received during the public hearing.

If the Commission finds the applicant satisfies the conditional use permit burden of proof requirements for this request, than Staff recommends **Approval** of Conditional Use Permit No. 03-239-(5), subject to the attached draft conditions.

SUGGESTED MOTION

"I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION INDICATE ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 03-239-(5), AND INSTRUCT STAFF TO PREPARE THE FINAL ENVIRONMENTAL DOCUMENTATION AND FINDINGS AND CONDITIONS FOR APPROVAL."

Report prepared by: Samuel Dea, Principal Regional Planning Assistant
Reviewed by: Russell J. Fricano, Ph.D., AICP, Zoning Permits Section I

Attachments:

Copy of Thomas Brothers Map
Burden of Proof
Draft Conditions
Attachments
Site Plan
Land Use Map

RJF:SD